



General Assembly

February Session, 2004

***Raised Bill No. 5496***

LCO No. 1821

\*01821\_\_\_\_\_GL\_\*

Referred to Committee on General Law

Introduced by:  
(GL)

***AN ACT REQUIRING THE LICENSING OF SECURITY SYSTEMS AND  
FIRE ALARM SELLERS, INSTALLERS AND MONITORS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2004*) As used in this act: (1)  
2       "Person" means an individual, corporation, association, partnership or  
3       any other legal entity; (2) "department" means the Department of  
4       Agriculture and Consumer Protection; (3) "commissioner" means the  
5       Commissioner of Agriculture and Consumer Protection; and (4)  
6       "private keyholder responder" means a person who responds to and  
7       enters a private residence in response to a security system or fire  
8       alarm.

9       Sec. 2. (NEW) (*Effective October 1, 2004*) (a) No person shall engage  
10      in the sale, service, monitoring or installation of security systems or  
11      fire alarms, including acting as a private keyholder responder, without  
12      first obtaining a license from the commissioner. No person shall offer  
13      to perform or perform any sale, service, monitoring or installation  
14      work without having first obtained a license under sections 1 to 15 of  
15      this act.

16 (b) The provisions of this act shall not apply to the retail sale of  
17 security systems or fire alarms if: (1) Such sale is an incidental portion  
18 of total sales of other general merchandise offered by the seller; (2)  
19 such sale occurs at the retail premises of the seller; and (3) the seller  
20 does not offer, or otherwise arrange for, service, monitoring or  
21 installation of the system or alarm at the buyer's premises.

22 Sec. 3. (NEW) (*Effective October 1, 2004*) (a) A person seeking a  
23 license for the sale, service, monitoring or installation of security  
24 systems or fire alarms shall apply to the commissioner, in writing, on a  
25 form provided by the commissioner. Such application shall include the  
26 applicant's name, age, date and place of birth, residence addresses and  
27 business addresses for the past five years, date and place of conviction  
28 of any crime and such additional information as the commissioner  
29 deems appropriate to investigate the qualification, character and  
30 integrity of the applicant. If an applicant is a corporation, each person  
31 owning ten per cent or more of the stock of such corporation shall  
32 provide such information. If the applicant is an association or  
33 partnership, each member of such association or partnership shall  
34 provide such information.

35 (b) Each applicant shall be eighteen years of age or older and shall  
36 have at least three years of experience in the sale, service, monitoring  
37 or installation of security systems or fire alarms.

38 (c) Each applicant shall submit, with an application, two complete  
39 sets of fingerprints on forms specified by the commissioner and two  
40 photographs measuring two inches high and three inches wide taken  
41 within six months of such application.

42 (d) Each application shall provide the business name to be used by  
43 the applicant, the location of the principal place of business and the  
44 location of each branch office. If the applicant is a corporation, such  
45 application shall provide the name of the corporation and date and  
46 place of incorporation. No business name shall imply an association  
47 with a municipal, county, state or federal government or any agency

48 thereof.

49 (e) Each application shall contain any other information and  
50 documentation as the commissioner may require.

51 (f) The commissioner shall require each applicant, or if the applicant  
52 is a corporation, each person owning ten per cent or more of the stock  
53 of the applicant, or if the applicant is an association or partnership,  
54 each member of the applicant to submit to state and national criminal  
55 history records checks before such license is issued. The criminal  
56 history records checks shall be conducted in accordance with section  
57 29-17a of the general statutes.

58 (g) Each application shall be accompanied by a registration fee of  
59 three hundred dollars.

60 Sec. 4. (NEW) (*Effective October 1, 2004*) (a) Upon receipt of a  
61 completed application and a registration fee, the commissioner shall:  
62 (1) Issue and deliver to the applicant a license; or (2) refuse to issue the  
63 license. The commissioner may suspend, revoke, or refuse to issue or  
64 renew any license issued under this act, or may place a licensee on  
65 probation or issue a letter of reprimand, for any violation of section 5  
66 of this act. Subject to the provisions of section 46a-80 of the general  
67 statutes, no license shall be issued to an applicant who has been  
68 convicted of a felony, sexual offense or crime. No application for the  
69 reinstatement of a license which has been revoked shall be accepted by  
70 the commissioner prior to one year after the date of such revocation.

71 (b) Licenses issued pursuant to this act shall be valid for one year  
72 and shall not be transferable or assignable.

73 (c) The fee for renewal of a license shall be one hundred dollars.

74 (d) Each licensee shall exhibit at each place of business the original  
75 or a copy of such license.

76 Sec. 5. (NEW) (*Effective October 1, 2004*) The commissioner may

77 revoke or suspend a license for the sale, service, monitoring or  
78 installation of security systems or fire alarms for: (1) A violation of the  
79 provisions of sections 1 to 15 of this act or any regulation adopted  
80 thereunder; (2) conduct of a character likely to mislead, deceive or  
81 defraud the public or the commissioner; (3) making a material  
82 misstatement in the application for issuance or renewal of a license; (4)  
83 a conviction of a felony or a crime affecting the licensee's honesty,  
84 integrity or moral fitness, subject to the provisions of section 46a-80 of  
85 the general statutes; or (5) knowingly employing a person who cannot  
86 qualify for licensure or who has been denied a license pursuant to any  
87 provision of sections 1 to 15 of this act.

88       Sec. 6. (NEW) (*Effective October 1, 2004*) (a) Upon refusal to issue or  
89 renew a license, the commissioner shall notify the applicant, by  
90 certified mail, of the denial and of the applicant's right to request a  
91 hearing no later than ten days from the date of receipt of the notice of  
92 denial.

93       (b) In the event the applicant requests a hearing within such ten  
94 days, the commissioner shall give notice of the grounds for the  
95 commissioner's refusal and shall conduct a hearing concerning such  
96 refusal, in accordance with the provisions of chapter 54 of the general  
97 statutes concerning contested matters.

98       Sec. 7. (NEW) (*Effective October 1, 2004*) (a) The commissioner may  
99 conduct investigations and hold hearings on any matter under the  
100 provisions of this act. The commissioner may issue subpoenas,  
101 administer oaths, compel testimony and order the production of  
102 books, records and documents. If any person refuses to appear, to  
103 testify or to produce any book, record, paper or document when so  
104 ordered, upon application of the commissioner, a judge of the superior  
105 court may make such order as may be appropriate to aid in the  
106 enforcement of this section.

107       (b) The Attorney General, at the request of the commissioner, may  
108 apply in the name of the state of Connecticut to the superior court for

109 an order temporarily or permanently restraining and enjoining any  
110 person from violating any provision of sections 1 to 15 of this act.

111 Sec. 8. (NEW) (*Effective October 1, 2004*) No licensee engaged in the  
112 business of selling, servicing, monitoring or installing security systems  
113 or fire alarms shall: (1) Present or attempt to present, as its own, the  
114 license of another, (2) knowingly give false evidence of a material  
115 nature to the commissioner for the purpose of procuring a license, (3)  
116 use or attempt to use a license which has expired or which has been  
117 suspended or revoked, or (4) represent in any manner that its license  
118 constitutes an endorsement of the quality of its workmanship or of its  
119 competency by the commissioner. A violation of any of the provisions  
120 of this act shall be deemed an unfair or deceptive trade practice under  
121 subsection (a) of section 42-110b of the general statutes.

122 Sec. 9. (NEW) (*Effective October 1, 2004*) Upon issuance of a license,  
123 pursuant to section 4 of this act, the commissioner shall also issue to  
124 each licensee, and in the case of a corporation, association or  
125 partnership, each officer or member thereof, a pocket identification  
126 card of such size and design as the commissioner shall designate in  
127 regulations adopted pursuant to section 14 of this act. Each person  
128 issued an identification card shall carry such card at all times when  
129 engaged in the activities of such license and such card shall be  
130 evidence of due authorization to engage in such activities. No person  
131 shall possess, hold or display an identification card or facsimile  
132 thereof, which is not authorized and issued by the commissioner.

133 Sec. 10. (NEW) (*Effective October 1, 2004*) (a) Upon hiring any  
134 employee, a licensee shall make application to register such employee  
135 with the commissioner. Such application shall be made on forms  
136 provided by the commissioner and shall include such employee's  
137 name, residence address, date and place of birth, residence addresses  
138 and business addresses for the past five years, date and place of  
139 conviction of any crime and any other information as the  
140 commissioner may require. Such application shall include two

141 complete sets of fingerprints on forms specified by the commissioner  
142 and two photographs measuring two inches high and three inches  
143 wide taken within six months of such application.

144 (b) The commissioner shall require each employee who is being  
145 registered to submit to state and national criminal history records  
146 checks before such employee is registered. The criminal history records  
147 checks shall be conducted in accordance with section 29-17a of the  
148 general statutes.

149 (c) Subject to the provisions of section 46a-80 of the general statutes,  
150 no person who has been convicted of a felony, sexual offense or crime  
151 which would tend to question such person's honesty or integrity shall  
152 be employed at a place of business engaged in the sale, service,  
153 monitoring or installation of security systems or fire alarms.

154 (d) Such registration shall be valid for one year and renewable  
155 annually on forms specified by the commissioner.

156 (e) The fee for initial registration shall be ten dollars and the fee for  
157 renewal shall be ten dollars.

158 (f) The licensee shall notify the commissioner no later than five days  
159 after termination of employment of any registered employee.

160 Sec. 11. (NEW) (*Effective October 1, 2004*) Each licensee engaged in  
161 the sale, service, monitoring or installation of security systems or fire  
162 alarms shall issue to each employee a pocket identification card of such  
163 size and shape as the commissioner shall designate in regulations  
164 adopted pursuant to section 14 of this act. Each person issued an  
165 identification card shall carry such card at all times when engaged in  
166 the activities of such licensee and such card shall be evidence of due  
167 authorization to engage in such activities. No employee shall possess,  
168 hold or display an identification card or facsimile thereof, which is not  
169 authorized by the commissioner. An employee shall surrender such  
170 identification card upon termination of employment with the issuing

171 licensee.

172       Sec. 12. (NEW) (*Effective October 1, 2004*) No person who is or has  
173 been an employee of a licensee engaged in the sale, service, monitoring  
174 or installation of security systems or fire alarms shall divulge any  
175 information regarding work such person has performed or any other  
176 information relating to the business of such person's employer gained  
177 during such employment, except as may be required by law.

178       Sec. 13. (NEW) (*Effective October 1, 2004*) The commissioner shall  
179 annually prepare a list of security system and fire alarm businesses  
180 licensed pursuant to sections 1 to 12, inclusive, of this act and  
181 distribute such list to the chiefs of police, the State Fire Marshal and  
182 the fire chiefs and fire marshals of the municipalities of the state and  
183 shall make such list available to any licensee.

184       Sec. 14. (NEW) (*Effective October 1, 2004*) The commissioner shall  
185 adopt regulations, in accordance with chapter 54 of the general  
186 statutes, to implement the provisions of sections 1 to 13, inclusive, of  
187 this act.

188       Sec. 15. (NEW) (*Effective October 1, 2004*) A person who violates any  
189 provision of sections 1 to 14, inclusive, of this act shall be fined not  
190 more than five thousand dollars or imprisoned not more than one  
191 year, or both.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>
Sec. 3	<i>October 1, 2004</i>
Sec. 4	<i>October 1, 2004</i>
Sec. 5	<i>October 1, 2004</i>
Sec. 6	<i>October 1, 2004</i>
Sec. 7	<i>October 1, 2004</i>
Sec. 8	<i>October 1, 2004</i>
Sec. 9	<i>October 1, 2004</i>

Sec. 10	<i>October 1, 2004</i>
Sec. 11	<i>October 1, 2004</i>
Sec. 12	<i>October 1, 2004</i>
Sec. 13	<i>October 1, 2004</i>
Sec. 14	<i>October 1, 2004</i>
Sec. 15	<i>October 1, 2004</i>

***Statement of Purpose:***

To license persons and businesses engaged in the sale, service, monitoring or installation of security systems or fire alarms.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*